

APPENDIX 1

Cassava v. Bredt, et al., No. 22-cv-09409-GHW-OTW (S.D.N.Y.)

APPENDIX 1


Filed in Support of Dot.com Defendants' Motion to Dismiss the Second Amended Complaint

CHALLENGED TWEETS IN SECOND AMENDED COMPLAINT

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
	08/24/2021	Neuroscientist Defendants publish Citizen Petition (<i>see</i> Br. at 5-6).				
	09/03/2021	Cassava CEO Remi Barbier issues statement in response to Citizen Petition (<i>see</i> Br. at 5-6).				
	11/02/2021	Dot.com Defendants publish FDA Letter (<i>see</i> Br. at 12).				
1	11/02/2021	Dr. Heilbut	6	<p>“Not as crazy as <i>photoshopping all of your studies for 20 years..</i> and putting a molecule into humans based on nonsense. \$SAVA”</p> <p>https://twitter.com/Adrian_H/status/1454158767554285568</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to another user’s remark about Dr. Wang’s work, stating that “Photoshopping a study is crazy!” • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists² • “Photoshopping” is a colloquial term without precise factual meaning in this context 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshot and link to PubPeer with factual bases
	11/03/2021	Dot.com Defendants publish Shambolic Charade Deck (<i>see</i> Br at 12-13).				

¹ As explained in the accompanying brief, in context, all of the challenged Tweets would be understood to be based on facts previously disclosed publicly, including in the Dot.com Defendants’ prior publications (*e.g.*, their FDA Letter and Slide Decks). (*See* Br. at 44-46.)

² In each case, the [\\$SAVA](#) hashtag, which links to all other Tweets using the same hashtag, was used in the challenged Tweet or other Tweets in the same thread.

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
	11/03/2021	Defendant QCM publishes report (<i>see</i> Br. at 13).				
2	11/04/2021	Dr. Heilbut	7	<p><i>“It is all complete, made-up garbage. If it were not \$SAVA would be earnestly and openly defending everything in a transparent scientific way . . . everything about how they operate is about contriving the appearance of desirable results.”</i></p> <p>https://web.archive.org/web/20211104162829/https://twitter.com/Adrian_H/status/1456275948693770240</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users discussing QCM report and another user explaining conditions under which he would take a short position in Cassava • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • “Garbage” is a colloquial term without precise factual meaning in this context 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains link to QCM report with additional factual bases
3	11/04/2021	Dr. Brodtkin	8	<p><i>“I will NEVER cover \$sava. Simufilem is a frauud!”³</i></p> 	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Accompanying image of Elmo conveys opinion • Reference to “cover[ing]” short position conveys opinion 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant

³ Virtually all of the challenged Tweets or their threads contain gifs, images, or screenshots. The repeated use of such imagery further demonstrates the rhetorical tone of these debates, conveying to reasonable readers that the challenged Tweets are opinions. (*See* Br. 41.) To conserve space, this Appendix does not reproduce all such images herein but they are available at the hyperlinks below each statement.

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
				https://twitter.com/jesse_brodkin/status/1456272096053526550	<ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	
4	11/05/2021	Dr. Heilbut	9	<p><i>“The lies from \$SAVA never end[.]”</i></p> <p>https://web.archive.org/web/20211106001341/https://twitter.com/Adrian_H/status/1456776594366869508</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to another user’s post discussing Cassava’s Nov. 4, 2021 press release and <i>Journal of Neuroscience</i> Corrigendum • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant
5	11/06/2021	Dr. Heilbut	10	<p><i>“Either \$sava has been lying to us for months about having the blots or they submitted <i>faked evidence</i> to the Journal of Neuroscience. Pick one.”</i></p> <p>https://web.archive.org/web/20211106103950/https://twitter.com/jesse_brodkin/status/1456934307558301697</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to another user’s post discussing Cassava’s Nov. 4, 2021 press release and <i>Journal of Neuroscience</i> Corrigendum • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • Same thread as Statement 4 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant
6	11/07/2021	Dr. Brodkin	11	<i>“Never \$sava is a total fraud. \$2 in 3 years max guaranteed.”</i>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
				https://twitter.com/jesse_brodkin/status/1457490360402391044	<ul style="list-style-type: none"> • Responding to prior posts linking to cassavafraud.com • Prediction of future conveys opinion • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • facts known only to Defendant • Contains link to cassavafraud.com with factual bases
7	11/11/2021	Dr. Heilbut	12	<p>“Just to be clear: <i>\$SAVA faked additional ‘raw’ data last week</i>, sent it to @MarinaP63 at J Neurosci to receive their ‘blessing’, halted the stock, then sent a press release relating this false, engineered news, causing the share price to double. Is there a legal term for that?”</p> <p>https://twitter.com/Adrian_H/status/1458780796005892097</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to Dr. Elizabeth Bik’s post and others discussing Cassava’s Nov. 4, 2021 press release and <i>Journal of Neuroscience</i> Corrigendum • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • Same thread as Statements 4 and 5 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshot with factual bases

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
8	11/11/2021	Dr. Brodtkin	13	<p>“Get your daily \$SAVA fraud here It appears that in an effort to clear themselves of manipulated image accusations <i>Cassava submitted some (long pause) MANIPULATED IMAGES...</i> I know right imagine the cajones and contempt that takes[.]”</p> <p>https://twitter.com/jesse_brodtkin/status/1458771009813815300</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to Dr. Elizabeth Bik’s post and others discussing Cassava’s Nov. 4, 2021 press release and <i>Journal of Neuroscience</i> Corrigendum • Qualifying language (“it appears”) conveys opinion • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • Same thread as Statements 4, 5, and 7 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshots and links with factual bases
9	11/14/2021	Dr. Heilbut	14	<p>“The privilege to conduct trials under an IND is based on a balance of safety and potential for efficacy. If \$SAVA pre-clinical and clinical data are fabricated or manipulated, or trials not properly run, there is no ethical or regulatory justification for further clinical trials.[] We know IT WILL fail because we see and understand that the <i>biology was MADE UP</i>. It is not a matter of hope, or optimism, or liking what</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to Dr. Elizabeth Bik’s post and others discussing Cassava’s Nov. 4, 2021 press release and <i>Journal of Neuroscience</i> Corrigendum • Prediction of future conveys opinion 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshots and links with factual bases

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
				<p>one sees - <i>it is all fabricated nonsense</i>. If you cannot understand or admit this to yourself by now, you are going to be Remi's bagholder."</p> <p>https://twitter.com/Adrian_H/status/1460054040545566727</p>	<ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • Same thread as Statements 4, 5, 7, and 8 	
10	11/16/2021	Dr. Heilbut	15	<p>"2005 was the foundation for 2008, 2012, 2017, and the \$SAVA Simufilam IND, the Phase 2 trials, and SavaDX. <i>It is all fabricated nonsense, built upon other fabricated nonsense</i>, and it is all going to come crashing down. [] \$SAVA is perfectly happy to light NIH and investor money on fire so long as they manage to siphon off a large chunk of it for themselves[.]"</p> <p>https://twitter.com/Adrian_H/status/1460704956277829640</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to Dr. Elizabeth Bik's post and others discussing Cassava's Nov. 4, 2021 press release and <i>Journal of Neuroscience</i> Corrigendum • Prediction of future conveys opinion • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • Same thread as Statements 4, 5, and 7-9 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshots and links with factual bases
11	11/17/2021	Dr. Heilbut	16	<p>"this is just the start... the <i>whole \$SAVA charade</i> is going to unravel now cc: @MarinaP63</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
				<p>and I have no doubt that the SEC is going to investigate the stunt \$SAVA pulled two weeks submitting additional fabricated data [] in a fake 'Erratum' to fool the Journal of Neuroscience into issuing a statement of 'exoneration' the Ph2 clinical data is very much in doubt here too. I agree that this is a rare or unprecedented situation... typically when something like this happens, the sponsor admits it and stops the trial themselves."</p> <p>https://twitter.com/Adrian_H/status/1460978798439157765</p>	<ul style="list-style-type: none"> Responding to Nov. 16, 2021 <i>Wall Street Journal</i> article reporting on SEC investigation of Cassava Prediction of future conveys opinion \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists "Charade" is a colloquial term without precise factual meaning in this context 	facts known only to Defendant
12	11/17/2021	Dr. Brodtkin	17	<p>"So will CUNY circle the wagons around \$sava fraud Wang with the SEC looking over their shoulder? (I'm guessing they won't) [] No Wang=No Patent=No Company=\$0/share[.]"</p> <p>https://twitter.com/jesse_brodtkin/status/1461003095282966532</p>	<ul style="list-style-type: none"> Hyperbolic and rhetorical tone Responding to Nov. 16, 2021 <i>Wall Street Journal</i> article reporting on SEC investigation of Cassava Prediction of future conveys opinion 	<ul style="list-style-type: none"> Does not imply a basis in undisclosed facts known only to Defendant

Dot.com Defendants' APPENDIX 1

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
					<ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	
13	11/18/2021	Dr. Heilbut	18	<p>"I have no idea, but if someone was looking for <i>people lying to pump in order to sell, the first logical place to check for liars would be \$SAVA management.</i>"</p> <p>https://twitter.com/Adrian_H/status/1461543350587338754</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to Nov. 16, 2021 <i>Wall Street Journal</i> article reporting on SEC investigation of Cassava • Call for investigation conveys opinion • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant
14	11/19/2021	Dr. Milioris	19	<p>"How is it legal for \$SAVA to spinal tap folks and then just <i>make up their biomarker values?</i>"</p> <p>https://twitter.com/DRnotaDR/status/1461663337066995719</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to another user's remark ("Insane how this is legal!") • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains link to cassavafraud.com with factual bases
15	11/19/2021	Dr. Brodtkin	20	<p>"To stop a sociopath from <i>defrauding investors</i> and</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed

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				<p>harming elderly sick people and their families \$sava[.]”</p> <p>https://twitter.com/jesse_brodkin/status/1461842547349860355</p>	<ul style="list-style-type: none"> • Commenting on email from Dr. Wang obtained via FOIL request and screenshotted • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<p>facts known only to Defendant</p> <ul style="list-style-type: none"> • Contains screenshot of email and link to article with factual bases
16	11/21/2021	Dr. Brodkin	21	<p>“Allowing an <i>obvious fraud like \$sava</i> to continue to take advantage of patients, investors and families makes a mockery of our regulatory framework and markets. [] 50:50 Remi ends up behind bars.”</p> <p>https://twitter.com/jesse_brodkin/status/1462490125494099968</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users' posts telling Dot.com Defendants to “cover” their “shorts” and discussing Citizen’s Petition • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant
17	11/23/2021	Dr. Brodkin	22	<p>“For those of you that may have been confused by @SfNJournals decision to actively <i>participate in fraud by exonerating \$sava</i> and surrendering their scientific integrity and voice to Remi, I put a helpful explainer here cc: @MarinaP63 @JuanLenna1 @bany_everitt @SECEnfDirector[.]”</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to Cassava’s Nov. 4, 2021 press release and <i>Journal of Neuroscience</i> Corrigendum • Call for further investigation (copying SEC and journal editors) conveys opinion 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshots with factual bases

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				https://twitter.com/jesse_brodkin/status/1463129101821255681	<ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	
18	11/24/2021	Dr. Heilbut	23	<p>“I’m not assuming anything. The statement put out by JN was patently ridiculous. <i>The ‘original’ blot provided in the Erratum was faked.</i> They need to explain or correct their statement and Erratum, and explain the process that that led to it. @MarinaP63 \$SAVA.”</p> <p>https://twitter.com/Adrian_H/status/1463562262694842372</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to Cassava’s Nov. 4, 2021 press release and <i>Journal of Neuroscience</i> Corrigendum • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • Same thread as Statement 17 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshots with factual bases
	11/29/2021	Dot.com Defendants publish SavaDx Deck (see Br. at 13).				
19	11/30/2021	Dr. Heilbut	24	<p>“The truth about \$SAVA <i>SavaDx is that is a FAKE assay</i>, the only purpose of which is to provide ‘confirmation’ of the ‘treatment effects’ of \$SAVA’s inert drug that does not and cannot bind Filamin-A [] Remi is a special kind of genius.</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Publishing “SavaDx Exposed” presentation with link to cassavafraud.com • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains link to cassavafraud.com with factual bases

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				https://cassavafraud.com/docs/SAVADx_Theranos2.0.pdf[.] ” https://twitter.com/Adrian_H/status/1465870478527057920		
20	12/7/2021	Dr. Heilbut	25	<p>“He’s talking about measuring CSF/Plasma albumin, not SavaDx. That was done so \$SAVA could claim a ‘Treatment Benefit’ on BBB integrity. And it was not done properly or using routine clinical methods, and the <i>numbers are complete manipulated garbage.</i>”</p> <p>https://twitter.com/Adrian_H/status/1468386878009266176</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users’ posts discussing Cassava’s Nov. 4, 2021 press release and <i>Journal of Neuroscience</i> Corrigendum • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • “Garbage” is a colloquial term without precise factual meaning in this context • Same thread as Statements 17 and 18 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshots with factual bases
21	12/09/2021	Dr. Heilbut	26	<p>“The premise of the <i>entire charade</i> (both for AD and for Bordey’s bizarre claims) is that the drug binds FLNA. The <i>key data</i> \$SAVA showed to establish that is physically impossible and</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users’ posts discussing Cassava’s Nov. 4, 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant

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				<p>MADE UP. It is all a <i>complete fraud.</i>”</p> <p>https://twitter.com/jesse_brodkin/status/1469095555859103746</p>	<p>2021 press release and <i>Journal of Neuroscience</i> Corrigendum</p> <ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • “Charade” is a colloquial term without precise factual meaning in this context • Same thread as Statements 17, 18, and 20 	<ul style="list-style-type: none"> • Contains screenshots with factual bases
22	12/9/2021	Dr. Brodkin	27	<p>“No. I don’t want to reward <i>fraudulent data</i>. [] \$sava should be punished so that others do not attempt <i>this scam</i>. The best thing for AD research and patients is to maintain a <i>fraud free</i> and fact based investment environment[.]”</p> <p>https://twitter.com/jesse_brodkin/status/1469095555859103746</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users’ posts discussing Cassava’s Nov. 4, 2021 press release and <i>Journal of Neuroscience</i> Corrigendum • Call for punishment conveys opinion • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • “Scam” is a colloquial term without precise factual meaning in this context 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshots with factual bases

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
					<ul style="list-style-type: none"> Same thread as Statements 17, 18, 20, and 21 	
23	12/10/2021	Defendants	28	Seeing Through Blind Deck	(See Br. at 43-45.)	(See Br. at 43-45.)
24	12/11/2021	Dr. Brodtkin	29	<p>“Key is ‘confines of the study’, obv Pei and Wang lab are supposed to be blind according to SEC filings and *very probably* study protocol. It’s a <i>shit-show of fraud</i> and incompetence. SEC has been informed of \$sava lies on filings[.]”</p> <p>https://twitter.com/jesse_brodtkin/status/1469782611421716482</p>	<ul style="list-style-type: none"> Hyperbolic and rhetorical tone Responding to other users’ posts discussing Cassava’s Nov. 4, 2021 press release and <i>Journal of Neuroscience</i> Corrigendum \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists “Shit-show” is a colloquial term without precise factual meaning in this context Same thread as Statements 17, 18, 20, 21, and 22 	<ul style="list-style-type: none"> Does not imply a basis in undisclosed facts known only to Defendant Contains screenshots with factual bases
25	12/13/2021	Dr. Brodtkin	30	<p>“So much easier to let the rest of society <i>bear the costs of \$sava fraud</i> than to act responsibly and do your job, right @MarinaP63? (Even when the investigation was done for you 0_0) cc: @TurrianoLab[.]”</p>	<ul style="list-style-type: none"> Hyperbolic and rhetorical tone Responding to other users’ posts discussing Cassava’s Nov. 4, 2021 press release and <i>Journal of Neuroscience</i> Corrigendum 	<ul style="list-style-type: none"> Does not imply a basis in undisclosed facts known only to Defendant

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				https://twitter.com/jesse_brodkin/status/1470366262505226244	<ul style="list-style-type: none"> • Other user's response interpreting statement as "blowing smoke" indicates that statement was viewed as opinion • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	
26	12/16/2021	Dr. Brodkin	31	<p>"It looks like my perfectly reasonable letter regarding an opaque investigation of the <i>\$sava manipulated images</i> by JoN didn't make the latest issue. I trust electronic publication can proceed without further delay [] The scientific community deserves transparency @MarinaP63[.]"</p> <p>https://twitter.com/jesse_brodkin/status/1471481003445268487</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users' posts discussing Cassava's Nov. 4, 2021 press release and <i>Journal of Neuroscience</i> Corrigendum • Opinion-like language and calls for further investigation in screenshot convey that statement is opinion • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • Same thread as Statements 17, 18, 20, 21, 22, and 24 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshots and letter submitted to <i>Journal of Neuroscience</i> with factual bases
27	12/17/2021	Dr. Brodkin	32	"I think the cognitive scores, like the biomarker data are <i>lies and meant to defraud</i> investors and	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed

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				contaminate the market for real science. \$sava does a disservice to AD patients, and investors. What I have said about <i>\$sava research is true and undisputed by \$sava</i> https://twitter.com/jesse_brodkin/status/1471936321950302210	<ul style="list-style-type: none"> • Responding to Cassava video concerning simufilam clinical trials and other users' remarks • Qualifying language ("I think") conveys opinion • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	facts known only to Defendant
28	12/17/2021	Dr. Brodtkin	33	"Important point on the continuing obligation JoN has to it's readers and the scientific community regarding <i>\$sava fraud</i> in it's journal[.]" https://web.archive.org/web/20211217215857/https://twitter.com/jesse_brodtkin/status/1471961847876272129	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to another user about Dec. 17, 2021 <i>Journal of Neuroscience</i> Expression of Concern • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains link to Expression of Concern with factual bases
29	12/18/2021	Dr. Brodtkin	34	"It took a decade for Remi to build the <i>\$sava scam</i> . Through scientific teamwork and perseverance we have exposed this <i>fraud</i> . The tide is turning #ENDALZ."	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to another user about Dec. 17, 2021 <i>Journal of Neuroscience</i> Expression of Concern and prior efforts to raise 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains link to Expression of

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				https://web.archive.org/web/20211219001652/https://twitter.com/jesse_brodkin/status/1472360231678234630	<p>concerns about simufilam research</p> <ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	Concern and cassavafraud.com with factual bases
30	12/20/2021	Dr. Brodtkin	35	<p>“But just on sheer impact, this guy is probably the winner. An image manipulation in response to questions of image manipulation followed by market manipulation. I could see jail time and an Editor resigning justified by this one pic alone. \$sava”</p> <p>https://twitter.com/jesse_brodtkin/status/1473031196334596099</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to another user about Dec. 17, 2021 <i>Journal of Neuroscience</i> Expression of Concern and prior efforts to raise concerns about simufilam research • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshots with factual bases
31	12/21/2021	Dr. Heilbut	36	<p>“Decent chance that \$SAVA ends red... Just another pathetic and increasingly desperate pump-and-dump onto the ignorant and credulous. <i>It is all made up.</i>”</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to another user about Dec. 17, 2021 <i>Journal of Neuroscience</i> Expression of Concern and prior efforts to raise 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
				https://twitter.com/Adrian_H/status/1473315921972314118	<p>concerns about simufilam research</p> <ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • “pump-and-dump” is colloquial term without precise factual meaning in this context 	
32	12/21/2021	Dr. Brodtkin	37	<p>“\$sava is doing societal harm as well as committing <i>securities fraud by lying about their ‘science[.]’</i>”</p> <p>https://twitter.com/jesse_brodtkin/status/1473457850584338440</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to another user (@Vinnie66007649) who issued “challenge” to Dr. Bik and others for “objective evidence” of harms to simufilam patients and that accused critics of “risking the potential of meaningful change” for Alzheimer’s “patients and caregivers” • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant
33	12/29/2021	Dr. Brodtkin	38	<p>“It doesn’t matter WHO points out the <i>fraud and lies of \$sava</i> (ad hominem #1). Not baseless as Remi already admitted ‘visual</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users discussing the Citizen’s Petition 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
				errors' (you're plain wrong or lying) Wester Blots are the foundation of sava's science 'Clean' is just wishful thinking #10. You look foolish[.]" https://twitter.com/jesse_brodkin/status/1476114812266590209	and another article commenting on the Citizen Petition <ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	facts known only to Defendant
34	12/30/2021	Dr. Brodkin	39	"\$sava is a <i>fraudulent company</i> cultivating a malicious mob through social media[.]" https://twitter.com/jesse_brodkin/status/1476671467764998144	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users discussing apparent efforts to threaten and "dox" the Dot.com Defendants and other critics of Cassava • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshot of email with factual bases
35	01/03/2022	Dr. Heilbut	40	"Not content with <i>fabricating scientific data</i> , the \$SAVA bulls are now <i>fabricating correspondence from the DOJ for a pump.</i> " https://twitter.com/Adrian_H/status/1478028839150305282	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to "a letter shared by Cassava investors discussing a Department of Justice probe into short sellers." (SAC ¶ 314.) 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshot of typo in letter ("United Department

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
					<ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	of Justice”) with factual basis
36	01/05/2022	Dr. Brodtkin	41	<p>“Second step is to <i>root out the frauds</i> that are already in the market \$sava[.]”</p> <p>https://twitter.com/jesse_brodtkin/status/1478858109565161473</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users, including reporter at STAT, concerning biotech company IPOs • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant
37	01/09/2022	Dr. Brodtkin	42	<p>“Here is the proof. <i>\$sava has lied to the public, CTAD, SEC</i> and now, apparently, you in private communications[.]”</p> <p>https://twitter.com/jesse_brodtkin/status/1480332813232754693</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users discussing SEC press release and debate with Cassava investor (@MattNachtrab) over conclusions reached by Dr. Bik, the Dot.com Defendants, and other Cassava critics • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshot of email with factual bases
38	01/10/2022	Dr. Heilbut	43	<p>“That is not the point here. The point is simply that there is</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed

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No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
				<p>evidence in black and white that SAVA/ Wang <i>photoshopped images</i> that they sent to JNeuro as 'originals', and then <i>pumped the stock</i> based on their 'erratum'['.]”</p> <p>https://twitter.com/Adrian_H/status/1480688243578388480</p>	<ul style="list-style-type: none"> Responding to other users discussing SEC press release and debating with Cassava investor (@MattNachtrab) about conclusions reached by Dr. Bik, the Dot.com Defendants, and other Cassava critics \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists Same thread as Statement 37 	<p>facts known only to Defendant</p> <ul style="list-style-type: none"> Contains screenshot of images with factual bases
39	01/12/2022	Dr. Brodtkin	44	<p>“I like this \$sava <i>manipulated image</i> in response to accusations of \$sava <i>manipulating images</i> [] h/t Bik[.]”</p> <p>https://twitter.com/jesse_brodtkin/status/1481341654976057348</p>	<ul style="list-style-type: none"> Hyperbolic and rhetorical tone Responding to other users discussing SEC press release and debate with Cassava investor (@MattNachtrab) over conclusions reached by Dr. Bik, the Dot.com Defendants, and other Cassava critics \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists Same thread as Statements 37 and 38 	<ul style="list-style-type: none"> Does not imply a basis in undisclosed facts known only to Defendant Contains screenshots of images with factual bases

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
40	01/20/2022	Dr. Heilbut	45	<p>“\$SAVA science is a <i>total fraud</i> and those relating hopeful anecdotes about patients currently in the clinical trials are either fools or shills.”</p> <p>https://twitter.com/Adrian_H/status/1484016429770817537</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to Dr. Bik’s Tweet with link to PubPeer and other users’ posts discussing retraction of article in <i>Molecular Neurodegeneration</i> co-authored by Dr. Wang due to “irregularities” • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains link to PubPeer with factual bases
41	01/20/2022	Dr. Brodtkin	46	<p>“icymi MOAR <i>\$sava fraud</i> news. A clean paper retraction by a group that was unfortunate enough to collaborate with Dr Wang[.]”</p> <p>https://twitter.com/jesse_brodtkin/status/1484153502482022400</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to Dr. Bik’s Tweet with link to PubPeer and other users’ posts discussing retraction of article in <i>Molecular Neurodegeneration</i> co-authored by Dr. Wang due to “irregularities” • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • Same thread as Statement 40 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains link to PubPeer with factual bases

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
42	01/20/2022	Dr. Brodtkin	47	<p>“spelled out pretty clearly here, Wang attempted to clear himself <i>of image manipulation</i> accusations by producing <i>manipulated images AGAIN</i> (cc @JuanLerma1 @MarinaP63) <i>\$sava[.]</i>”</p> <p>https://twitter.com/jesse_brodtkin/status/1484230455452962817</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to Dr. Bik’s Tweet with link to PubPeer and other users’ posts discussing retraction of article in <i>Molecular Neurodegeneration</i> co-authored by Dr. Wang due to “irregularities” • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • Same thread as Statements 40 and 41 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains link to PubPeer with factual bases
43	02/10/2022	Dr. Heilbut	48	<p>“<i>\$SAVA remains a complete scientific fraud</i> that is going to have its rug pulled any day, and Mr. Market knows it.”</p> <p>https://twitter.com/Adrian_H/status/1491812124200517633</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to FDA rejection of Citizen Petition on procedural grounds (<i>see</i> SAC Ex. 135) • Prediction as to future (“going to have its rug pulled”) conveys that statements are opinion • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
44	03/01/2022	Dr. Heilbut	49	<p>“Meanwhile, NIH @NIHAging happily funds completely <i>fraudulent science from \$SAVA.</i>”</p> <p>https://twitter.com/Adrian_H/status/1499598571611594755</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to another user’s post concerning NIH grant rejection and in thread discussing government “incompetence” • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant
45	04/28/2022	Dr. Brodtkin	50	<p>“My dude, <i>\$sava is a scamCo</i>, don’t tell your followers to buy <i>frauds</i>[.]”</p> <p>https://twitter.com/jesse_brodtkin/status/1519765788248494083</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to another user’s post about Cassava stock and April 18, 2022 <i>New York Times</i> article • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • “scamCo” is a colloquial term without precise factual meaning in this context 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains link to New York Times article with factual bases
46	05/19/2022	Dr. Brodtkin	51	<p>“\$sava now <i>poster-boy for fraud</i>... congrats Remi 🙌🙌🙌 [.]”</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to STAT news article discussing allegations 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
				https://twitter.com/jesse_brodkin/status/1523676546380095488	<p>against Cassava in Citizen Petition</p> <ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • “poster-boy” is a colloquial term without precise factual meaning in this context 	<ul style="list-style-type: none"> • Contains link to STAT news article with factual bases
47	05/09/2022	Dr. Brodkin	52	<p>“@Adrian_H giving CUNY notice that we will not allow a cover-up of <i>\$sava Wang’s scientific fraud</i>. All investigation findings should be made public ASAP.”</p> <p>https://twitter.com/jesse_brodkin/status/1523778067478421504</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Commenting on CUNY public meeting and investigation of Dr. Wang • Call for publication of investigation results conveys opinion • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant
48	05/18/2022	Dr. Brodkin	53	<p>“Who cares? The image was ‘selectable’. Case closed (again) <i>\$sava is a fraud.</i>”</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to another user concerning emails between <i>Neurobiology of Aging</i> editor and Dr. Wang concerning allegations 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
				https://twitter.com/jesse_brodkin/status/1527082440111468544	<ul style="list-style-type: none"> of data manipulation and March 22, 2022 Expression of Concern \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> Contains screenshots of emails with factual bases
49	05/31/2022	Dr. Brodtkin	54	<p>“Big SAVA news!!! new SEC filing? Nope. New PR from company? Nope.... Another <i>pump-and-dump on nothing from a ScamCo?</i> Yes 🙄 [.]”</p> <p>https://twitter.com/jesse_brodkin/status/1531729699717713920</p>	<ul style="list-style-type: none"> Hyperbolic and rhetorical tone Commenting on Cassava stock price fluctuation (explained in thread) Accompanied by sarcastic gif conveying that statement is opinion \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists “pump-and-dump on nothing from a ScamCo” is a colloquial phrase without precise factual meaning in this context 	<ul style="list-style-type: none"> Does not imply a basis in undisclosed facts known only to Defendant
50	06/03/2022	Dr. Heilbut	55	<p>“what does ‘returning the homeostasis of FLNA levels’ even mean when the molecule does not even bind to its supposed target? [] <i>IT IS ALL</i></p>	<ul style="list-style-type: none"> Hyperbolic and rhetorical tone Responding to another user concerning scientific paper about filamin A and cancer 	<ul style="list-style-type: none"> Does not imply a basis in undisclosed facts known only to Defendant

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
				<p>MADE UP. (Including Bordey's claims about effects of Simuflimflam in their epilepsy model)[.]”</p> <p>https://twitter.com/Adrian_H/status/1532849317379293185</p>	<ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Contains link to scientific paper with factual bases
51	08/28/2022	Dr. Brodtkin	56	<p>“Here's another straight-up admission of data manipulation; first and second cohort (pills vs cherries) of patients are statistically significantly different for no reason other than an investigation of data manipulation was started between the cohort readouts \$sava.”</p> <p>https://twitter.com/jesse_brodtkin/status/1564003968551895046</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users, including QCM, discussing insider purchases of Cassava stock and commenting on Cassava conference call with shareholders • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshots with factual bases
52	08/28/2022	Dr. Brodtkin	57	<p>“I don't know what the expiration data on this dumb attempt at a pump based on a total lie is, but at 1+ years I think we can safely say Remi was FOS when he pumped a 'deal' @sava[.]”</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users, including QCM, discussing insider purchases of Cassava stock and commenting on 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
				https://twitter.com/jesse_brodkin/status/1564008067628400641	<p>Cassava conference call with shareholders</p> <ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • “dumb attempt at a pump based on a total lie” and “FOS when he pumped a ‘deal’” are colloquial phrases without precise factual meaning in this context • Same thread as Statement 51 	<ul style="list-style-type: none"> • Contains screenshots with factual bases
53	08/28/2022	Dr. Brodtkin	58	<p>“Apparently <i>lying to pump stock</i> price runs in the family. Here Mrs Barbier lies through her teeth in writing that her baloney femtomolar claim is correct and a typo will clear it all up (narrator: IT DIDN'T) \$sava[.]”</p> <p>https://twitter.com/jesse_brodtkin/status/1564008067628400641</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users, including QCM, discussing insider purchases of Cassava stock and allegations of data manipulation • Qualifying language (“apparently) conveys opinion • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshots with factual bases

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
					<ul style="list-style-type: none"> • “lying to pump stock” is a colloquial phrase without precise factual meaning in this context • Same thread as Statements 51-52 	
54	08/29/2022	Dr. Brodtkin	59	<p>“The <i>level of fraud with \$sava is way beyond just securities</i>, so this is probably the right move for the SEC to hand off to the DOJ, imo.”</p> <p>https://twitter.com/jesse_brodtkin/status/1564322010171334656</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users who were speculating that the SEC had closed its investigation of Cassava without enforcement action • Qualifying language (“imo,” in my opinion; “seems to me”) conveys opinion • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshots with factual bases
55	09/10/2022	Dr. Heilbut	60	<p>“<i>IT’S ALL MADE UP.</i>”</p> <p>https://twitter.com/Adrian_H/status/1568825495386554369</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to another user, self-identified as a “parody” account, who was claiming that “short sellers” of Cassava stock were “delusional” 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
					<ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	
56	09/14/2022	Dr. Brodtkin	61	<p>“Oh look, it seems that SavaDX collaborator Joel Ross is an admitted crook in the <i>largest insider trade in history. A perfect fit for \$sava</i> and Steve Arnold 👍 (h/t @Russell50k).”</p> <p>https://twitter.com/jesse_brodtkin/status/1570041764563525633</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to Cassava presentation concerning SavaDX • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • “perfect fit” is a colloquial phrase without precise factual meaning in this context 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshot with factual bases
57	09/20/2022	Dr. Heilbut	62	<p>“\$SAVA chumps getting played again, with another <i>pump</i> based on two week old non non-news.”</p> <p>https://twitter.com/Adrian_H/status/1572430656797573120</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to Cassava stock price fluctuations and discussing short trading strategy with another user • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • “chumps being played again, with another pump” is a 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
					colloquial phrase without precise factual meaning in this context	
58	09/20/2022	Dr. Heilbut	63	<p>“and FDA gets a lot of things wrong. Reality still exists. <i>The drug is fake</i>, Wang is a fraud, and the <i>\$SAVA charade</i> is going to come crashing down one of these days.”</p> <p>https://twitter.com/Adrian_H/status/1572445121509232643</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to Cassava stock price fluctuations and discussing short trading strategy with other users • Prediction of future (“going to come crashing down”) conveys opinion • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • “charade” is a colloquial term without precise factual meaning in this context • Same thread as Statement 57 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant
59	09/22/2022	Dr. Brodtkin	64	<p>“Nope, I mean <i>fraud \$sava</i>.”</p> <p>https://twitter.com/jesse_brodtkin/status/1573053896326631426</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users discussing Cassava stock price fluctuations 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshot of retracted PLOS

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
					<ul style="list-style-type: none"> Accompanied by comical gifs conveying that statement is opinion \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists Same thread as Statements 57-58 	One article with factual bases
60	09/27/2022	Dr. Heilbut	65	<p>“It doesn’t halt cognitive decline either, I’m afraid, because all the <i>‘science’ behind it was faked</i> by a crazy <i>fabulist</i>, and it is a completely <i>imaginary drug</i> that doesn’t even engage its (never-validated) target.”</p> <p>https://twitter.com/Adrian_H/status/1574916368499195905</p>	<ul style="list-style-type: none"> Hyperbolic and rhetorical tone Responding to another user accusing short sellers and critics of Cassava of “perpetrating a genocide on 250,000 Alzheimer’s victims” \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists “fabulist” is an imprecise and ambiguous term 	<ul style="list-style-type: none"> Does not imply a basis in undisclosed facts known only to Defendant
61	10/02/2022	Dr. Heilbut	66	<p>“Be careful with this line of thinking. They HAVE been <i>fabricating results</i>, & the justification for the Ph3 was a <i>charade</i>. They’re breaking critical scientific and ethical</p>	<ul style="list-style-type: none"> Hyperbolic and rhetorical tone Responding to another user accusing short sellers and critics of Cassava of “perpetrating a 	<ul style="list-style-type: none"> Does not imply a basis in undisclosed facts known only to Defendant

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
				<p>norms that enable human clinical research, as well as regulations. <i>It's 100% made up scientific fraud.</i></p> <p>https://twitter.com/Adrian_H/status/1576669435146174464</p>	<p>genocide on 250,000 Alzheimer's victims</p> <ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • “charade” is a colloquial term without precise factual meaning in this context • Same thread as Statement 60 	
62	10/02/2022	Dr. Brodtkin	67	<p>“For just straight-up scientific illiteracy and <i>insult-to-your-intelligence fraud</i>, this one has got to take the top spot (and that's taken from a very rich \$sava data set 😊).”</p> <p>https://twitter.com/jesse_brodtkin/status/1576672703201042434</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to another user accusing short sellers and critics of Cassava of “perpetrating a genocide on 250,000 Alzheimer's victims • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • Same thread as Statements 17, 18, 20, 21, 22, 24, and 26 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant
63	10/06/2022	Dr. Heilbut	68	<p>“SIMUFLIMFLAM: <i>IT'S ALL MADE UP™</i>”</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
				https://twitter.com/Adrian_H/status/1578081595172569092	<ul style="list-style-type: none"> Responding to other users discussing simufilam's purported method of action \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	facts known only to Defendant
64	10/11/2022	Dr. Brodtkin	69	<p>"I don't think DOJ hired EXTRA people to investigate \$sava (probably hired consultants) I think Wang was in the compensation bonus pool. Whether Remi/Wang go to jail is really a question of how well they covered their tracks. <i>What is not in question is that they did the crime.</i>"</p> <p>https://twitter.com/jesse_brodtkin/status/1579897035360464896</p>	<ul style="list-style-type: none"> Hyperbolic and rhetorical tone Responding to other users discussing efforts by Cassava investors to "tout" Cassava stock to retail investors Prediction of future conveys opinion \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> Does not imply a basis in undisclosed facts known only to Defendant
65	10/16/2022	Dr. Heilbut	70	<p>"Who is crazy, who is stupid, who is lying, and who is evil is not really my concern. <i>The drug is fake; the research was fake; it is all a charade. IT IS ALL MADE UP.</i> \$SAVA"</p>	<ul style="list-style-type: none"> Hyperbolic and rhetorical tone Responding to other users discussing efforts by Cassava 	<ul style="list-style-type: none"> Does not imply a basis in undisclosed facts known only to Defendant

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
				https://twitter.com/Adrian_H/status/1581794074545180672	investors to “tout” Cassava stock to retail investors <ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • “charade” is a colloquial term without precise factual meaning in this context 	
66	10/19/2022	Dr. Heilbut	71	<p><i>“It is not a ‘drug’. IT IS ALL MADE UP. The entire thing is completely, utterly, insane.”</i></p> <p> https://twitter.com/Adrian_H/status/1582899656908242946 https://twitter.com/mosquitobight/status/1582892060327092226 </p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users discussing simufilam • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant
67	10/22/2022	Dr. Heilbut	72	<p>“SavaDx went off track as soon as they got anyone who wasn’t Wang to try to produce data, because... wait for it... <i>IT WAS ALL MADE UP</i> (and utter nonsense to boot).”</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users discussing clinical data from simufilam studies 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant

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				https://twitter.com/Adrian_H/status/1583904241608929280	<ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Contains screenshots and links with factual bases
68	10/27/2022	Dr. Heilbut	73	<p>“what you’re trying to say here is that <i>IT’S ALL MADE UP</i>[.]”</p> <p>https://twitter.com/Adrian_H/status/1585747644084781060</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to another user’s post and Substack article discussing allegations against Cassava and results of Cassava’s open-label study • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains link to Substack article with factual bases
69	05/05/2023	Dr. Heilbut	74	<p>“As with the Bordey paper, this is actually a <i>fantastic experiment</i> \$SAVA has done to determine just what kind of <i>fantastical results</i> a lab can come up with when given an <i>inert compound</i> targeting their pet protein[.]”</p> <p>https://twitter.com/Adrian_H/status/1654637249974214656</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to publication of study concerning simufilam co-authored by Dr. Burns • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • “fantastic experiment,” and “fantastical results” are colloquial phrases without 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshot and links with factual bases

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					precise factual meaning in this context	
70	09/19/2023	Dr. Milioris	75	<p>“Funny how the <i>drug stopped working</i> when Nadav left the picture[.]”</p> <p>https://twitter.com/DRnotaDR/status/1704173737598157008</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Referring to former Cassava board member, Dr. Nadav Friedmann • Responding to other users discussing Cassava presentations on simufilam, including another user’s remark that it was “funny how the drug suddenly stopped working when people starting observing.” • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains screenshot with factual bases
71	10/13/2023	Dr. Heilbut	76	<p>“Do you really think that the ”dog ate my homework“ is going to work here? There was no data and no record of any of the work. A reasonable inference and implication might be that the research was never actually done, or in other words, that <i>IT IS ALL MADE UP.</i>”</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users debating leaked CUNY report on investigation of Dr. Wang • Use of opinion-like language (“reasonable inference and 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains links and screenshots with factual bases

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
				https://twitter.com/Adrian_H/status/1712840312291225673	<p>implication . . .”) conveys opinion</p> <ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	
72	10/13/2023	Dr. Heilbut	77	<p>“It’s a totally different issue, but I can assure you that many of those outraged with \$SAVA were also outraged with Aduhelm and FDA shenanigans and skeptical of amyloid Abs. But there’s equivalence between that and <i>allegedly completely fake science</i> and an <i>allegedly imaginary drug</i>.”</p> <p>https://twitter.com/Adrian_H/status/1712881971347517840</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users debating experimental Alzheimer’s treatments, leaked CUNY report, and accusations of “selective outrage” against Cassava critics • Qualifying language (“allegedly”) conveys opinion • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains links and screenshots with factual bases
73	03/31/2024	Dr. Heilbut	78	<p>“I have multiple motives, but my primary motive is I don’t like bullshit. My motives don’t matter, however, because I am correct. <i>Wang’s fraud and misconduct has already been well established</i>; there is no need</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users discussing March 8, 2024 statement issued by Cassava in response to inquiry from <i>Science</i> concerning CUNY 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant

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				to politely wait for more people to be ripped off.” https://twitter.com/Adrian_H/status/1770980495624487106	<ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Contains links and screenshots with factual bases
74	03/21/2024	Dr. Heilbut	79	<p><i>“It doesn’t work</i> because all of the ‘<i>science</i>’ & <i>justification for testing it has been fabricated or complete bullshit</i>, in my scientific opinion. I don’t need to pretend to do a clinical trial and give grandma a spinal tap to know that for sure. [] The other accounts are not me.”</p> <p>https://twitter.com/Adrian_H/status/1770991599368970713</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to other users discussing March 8, 2024 statement issued by Cassava in response to inquiry from <i>Science</i> concerning CUNY report • Qualifying language (“in my scientific opinion”) conveys opinion • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists • Same thread as Statement 73 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant • Contains links and screenshots with factual bases
75	03/25/2024	Dr. Heilbut	80	<p>“I can’t recall anybody flat-out <i>fabricating data</i> for a Phase 2 clinical trial under FDA IND before[.]”</p>	<ul style="list-style-type: none"> • Hyperbolic and rhetorical tone • Responding to March 20, 2024 Editorial Note added to the pre- 	<ul style="list-style-type: none"> • Does not imply a basis in undisclosed facts known only to Defendant

Dot.com Defendants' APPENDIX 1

No.	Date	Author	Ex.	Challenged Statement	Opinion under <i>Gross</i> Because	Pure Opinion Because ¹
				https://twitter.com/Adrian_H/status/1772306001191997797	<p>print article on simufilam's Phase 2b clinical trial results</p> <ul style="list-style-type: none"> • \$SAVA hashtag places Tweet in context of spirited debate among investors and scientists 	<ul style="list-style-type: none"> • Contains links and screenshots with factual bases